



Senate Bill 738

Professional Engineers – Responsible Charge – Review and Approval of Engineering Documents

MACo Position: **OPPOSE**

To: Education, Health, and Environmental Affairs
Committee

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From: Natasha Mehu

The Maryland Association of Counties (MACo) **OPPOSES** SB 738. This bill, requiring a licensed professional engineer to review a wide range of engineering documents, imposes a costly and unnecessary mandate on local governments.

SB 738 requires that a unit of State or local government's review and approval of engineering documents must be undertaken by a professional engineer, who must have responsible charge with respect to the governmental unit's oversight of the project. This mandate ignores a common practice of employing educated, talented, and experienced public works and engineering staff who may not hold the specific professional certification the bill arbitrarily mandates.

This bill has substantial and costly impacts on the operation of local governments. Counties employ engineers for a wide-range of projects, including code compliance, zoning ordinance requirements, and road and sewer work projects. The majority of review staff are unlicensed engineers who work effectively and safely under the supervision of professional engineers. These engineers are hardworking and qualified with the requisite skills to perform their duties, though they are not professional engineers.

In many jurisdictions, additional professional engineers would have to be hired to comply with the bill's requirements and still perform timely review of documents. This could have the unfortunate effect of qualified unlicensed engineers losing their jobs and being replaced with professional engineers at higher cost to the counties, with potential loss of valuable experience and knowledge of the incumbent employees. In other cases, counties may have to procure design review services from third party professional engineering firms for many projects, which can be extremely costly. In either case, the diminished capacity of professional engineering staff on hand for review would lead to delays in the timely reviewing of documents.

SB 738 imposes a costly mandate on local governments which would put great burden on their capacity to perform necessary engineering reviews. For these reasons MACo urges an **UNFAVORABLE** report on SB 738.